

IN THE MATTER OF

MAINE YANKEE) SITE LOCATION OF DEVELOPMENT
Wiscasset, Lincoln County)
TRUCK MONITOR INSTALLATION) MODIFICATION
L-17973-26-T-M (Approval)) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Sections 481 et seq., the Department of Environmental Protection has considered the application of MAINE YANKEE with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. In Department Order #L-17973-26-A-N dated May 21, 1992, the Department approved the expansion of the Nuclear Power Plant facility located on the Old Ferry Road. Since 1992 the Department has issued a number of orders approving modifications at the development.
2. The applicant now proposes to construct a radiological survey truck monitor in accordance with the Agreement between the State of Maine and Maine Yankee, dated August 5, 1999. The truck monitor will be used to radiologically survey solid waste generated from the facility prior to release from the site for off-site processing, recycling or disposal. The monitor will be installed to the east of the existing main vehicle gate adjacent to the security building. Construction of the monitor will disturb 1,500 square feet of ground area that will be graded, backfilled with gravel, and compacted. The monitor consists of two pairs of 14-foot high vertical steel I-beams anchored in concrete oriented approximately 14 feet apart. Buried utility conduit and eight bollards will be installed to provide physical protection to the detectors that will be mounted on the I-beams. Plans for the project showing the location of the monitor and project details, prepared by Maine Yankee, have been submitted with the application.
3. Maine Yankee has purchased from Bicron NE of Solon, Ohio, and Model ASM-X000E/II Automated Scrap Monitoring System (hereafter called "truck monitor". Maine Yankee has also provided as part of the application, information from Bicron, on the manufacturer's recommendations for calibrating the truck monitor (publication # ASMII-0-Q-0697-002). This license approval is limited to the construction/installation of the truck monitor and does not approve any aspect of its calibration, operation, maintenance. Calibration, operation and maintenance issues will be addressed by the applicant in accordance with the terms of the August 5, 1999 "Agreement Between the State of Maine and Maine Yankee" concerning those matters.
4. Soil excavation shall be monitored by a qualified environmental professional. Soil samples shall be screened in the field by

headspace techniques using a DEP-approved photoionization or flame ionization device calibrated to the appropriate set point for fuel oil. Alternative screening techniques may be used subject to DEP approval. The environmental professional shall select samples for laboratory analysis based on screening results and other observable field characteristics. The selected samples shall represent worst case contamination if it appears that petroleum contamination is present.

5. Based on its review of the application, the Department finds the requested modification to be in accordance with all relevant Departmental standards. All other findings of fact, conclusions and conditions remain as approved in Department Order #L-17973-26-A-N, and subsequent orders.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S.A. Sections 481 et seq.:

- A. The applicant has provided adequate evidence of financial capacity and technical ability to develop the project in a manner consistent with state environmental standards.
- B. The applicant has made adequate provision for fitting the development harmoniously into the existing natural environment and the development will not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in the municipality or in neighboring municipalities.
- C. The proposed development will be built on soil types which are suitable to the nature of the undertaking and will not cause unreasonable erosion of soil or sediment nor inhibit the natural transfer of soil.
- D. The proposed development meets the standards for storm water management in Section 420-D and the standard for erosion and sedimentation control in Section 420-C.
- E. The proposed development will not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur.
- F. The applicant has made adequate provision of utilities, including water supplies, sewerage facilities, solid waste disposal and roadways required for the development and the development will not have an unreasonable adverse effect on the existing or proposed utilities and roadways in the municipality or area served by those services.
- G. The activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to any structure.

THEREFORE, the Department APPROVES the application of MAINE YANKEE to install utilities, SUBJECT TO THE FOLLOWING CONDITIONS and all applicable standards and regulations:

1. The Standard Conditions of Approval, a copy attached.
2. In addition to any specific erosion control measures described in this or previous orders, the applicant shall take all necessary actions to ensure that its activities or those of its agents do not result in noticeable erosion of soils or fugitive dust emissions on the site during the construction and operation of the project covered by this approval.
3. All other Findings of Fact, Conclusions and Conditions remain as approved in Department Order #L-17973-26-A-N, and subsequent orders, and are incorporated herein.

DONE AND DATED AT AUGUSTA, MAINE, THIS _____ DAY OF _____, 2000.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
MARTHA G. KIRKPATRICK, COMMISSIONER

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES...

Date of initial receipt of application	12/20/99
Date of application acceptance	12/20/99

Date filed with Board of Environmental Protection
DS:L17973tM